

STATE OF SOUTH CAROLINA

(Caption of Case)

Petition of the Office of Regulatory Staff to Establish  
Docket to Consider Implementing the Requirements  
of Section 1307 (State Consideration of Smart Grid)  
of the Energy Independence and Security Act of 2007

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2008 - 447 - E

(Please type or print)

Submitted by: E. Wade Mullins, III

Address: P.O Box 61110

Columbia, SC 29260

SC Bar Number: 3525

Telephone: 803-252-7693

Fax: 803-254-5719

Other: \_\_\_\_\_

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

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DOCKETING DEPT.

# BRUNER, POWELL, ROBBINS, WALL & MULLINS, LLC

ATTORNEYS AND COUNSELORS AT LAW

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JOEY R. FLOYD, P.A.  
WILLIAM D. BRITT, JR., P.A.

LEAH EDWARDS GARLAND

\* Also Admitted in District of Columbia

AUTHOR'S E-MAIL:

[WMULLINS@brunerpowell.com](mailto:WMULLINS@brunerpowell.com)

January 22, 2009

## **VIA HAND DELIVERY**

The Honorable Charles L.A. Terreni  
Chief Clerk/Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

RECEIVED  
2009 JAN 22 PM 12:21  
PUBLIC SERVICE  
COMMISSION

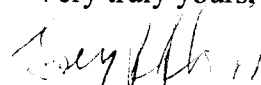
RE: Petition of the Office of Regulatory Staff to Establish Docket to Consider  
Implementing the Requirements of Section 1307 (State Consideration of Smart  
Grid) of the Energy Independence and Security Act of 2007  
**Docket No. 2008-447-E**  
Petition to Intervene of CMC Steel South Carolina

Dear Mr. Terreni:

Enclosed for filing please find the original and ten (10) copies of the Petition to Intervene of CMC Steel South Carolina in the above-referenced matter. I have also enclosed an extra copy of the petition and would appreciate you file stamping the extra copy and returning it to me via courier. By copy of this letter, I am serving all parties of record. If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards, I am

Very truly yours,



E. Wade Mullins, III

## Enclosures

cc: Nanette S. Edwards, Esquire (w/enc.)  
Shannon B. Hudson, Esquire (w/enc.)  
Catherine E. Heigel, Esquire (w/enc.)  
Len S. Anthony, Esquire (w/enc.)  
Damon E. Xenopoulos, Esquire

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**BEFORE THE  
SOUTH CAROLINA PUBLIC SERVICE COMMISSION**

**Petition of the Office of Regulatory Staff  
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Implementing the Requirements of  
Section 1307 (State Consideration of  
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**Docket No. 2008-447-E**

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COMMISSION

**PETITION TO INTERVENE OF CMC STEEL SOUTH CAROLINA**

CMC Steel South Carolina ("CMC") hereby petitions to intervene in the above-captioned proceeding. CMC states the following grounds in support of its petition.

1) CMC owns and operates a steel manufacturing facility in Cayce, South Carolina. This facility utilizes an electric arc furnace ("EAF") to melt and recycle steel. This process requires CMC to purchase very large quantities of electricity from South Carolina Electric & Gas Company ("SCE&G") at a cost of millions of dollars a year. Because the cost of electricity is one of the major costs of steel-making utilizing an EAF, the cost of electric power directly affects CMC's ability to produce steel at a competitive price. CMC is one of the largest retail customers of SCE&G.

2) Due to the magnitude and unique characteristics of its load, CMC cannot be represented adequately by any other party to this proceeding. At this stage of the proceeding, CMC has not fully determined what positions it may take.

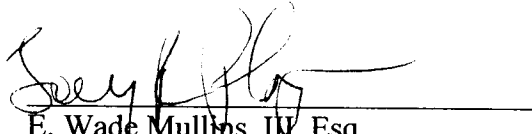
3) CMC's mailing address is:

CMC Steel South Carolina  
310 New State Road  
Cayce, SC 29033

4) CMC is represented by Damon E. Xenopoulos, Esq. of the Washington, D.C. law firm of Brickfield, Burchette, Ritts & Stone, P.C. in various matters regarding electric rates and service. In the past few years, attorneys of the firm have appeared before this Commission, the Federal Energy Regulatory Commission, and many other state utility commissions. In accordance with Rule 103-804 S.(1)(b) of the Commission's Rules of Practice and Procedure, Damon E. Xenopoulos, Esq. will associate with E. Wade Mullins, III, Esq. and Joey R. Floyd, Esq. of Bruner, Powell, Robbins, Wall & Mullins, LLC, local counsel licensed to practice in South Carolina. To the extent necessary, an appropriate Motion for Admission Pro Hac Vice will be filed with the Commission. Service and correspondence regarding this proceeding should be sent to all of the undersigned.

WHEREFORE, for the reasons set forth above, CMC respectfully requests permission to intervene in this proceeding.

Respectfully submitted,



E. Wade Mullins, III, Esq.

Joey R. Floyd, Esq.

Bruner, Powell, Robbins, Wall & Mullins, LLC

P.O. Box 61110

Columbia, South Carolina 29260

(803) 252-7693

Damon E. Xenopoulos, Esq.

Brickfield, Burchette, Ritts & Stone, P.C.

1025 Thomas Jefferson Street, N.W.

Eighth Floor -- West Tower

Washington, D.C. 20007

(202) 342-0800

January 22, 2009

*Attorneys for CMC Steel South Carolina*

**BEFORE THE  
SOUTH CAROLINA PUBLIC SERVICE COMMISSION**

**Docket No. 2008-447-E**

**Petition of the Office of Regulatory Staff  
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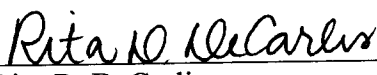
**CERTIFICATE OF SERVICE**

This is to certify that on this 22<sup>nd</sup> day of January 2009, I have caused to be served a copy of the **Petition to Intervene of CMC Steel South Carolina** via first-class mail, postage pre-paid, to the persons named below at the addresses set forth below:

**Nanette S. Edwards**, Counsel  
**Shannon Bowyer Hudson**, Counsel  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201

**Catherine E. Heigel**, Associate General Counsel  
Duke Energy Carolinas, LLC  
Post Office Box 1006, EC03T  
Charlotte, NC 28201-1066

**Len S. Anthony**, Counsel  
Progress Energy Carolinas, Inc.  
Post Office Box 1551  
Raleigh, NC 27602

  
\_\_\_\_\_  
Rita D. DeCarlis  
Legal Assistant  
Bruner, Powell, Robbins, Wall & Mullins, LLC  
P.O. Box 61110  
Columbia, South Carolina 29260

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